

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOANNE JAFFE,

Plaintiff,

-against-

CITY OF NEW YORK, ET Al.,

Defendants.

No. 19-CV-7024 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

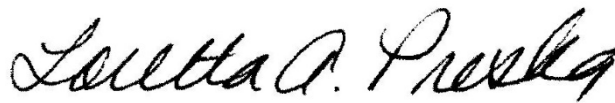
Plaintiff filed an amended complaint on May 6, 2022, which, among other things, added as a defendant former Mayor Bill De Blasio. (Dkt. no. 101.) The complaint makes clear that “this action names de Blasio as a Defendant in his personal capacity.” (Id. ¶ 9 (emphasis in original).) A summons issued on May 6, 2022 (dkt. no. 103), and on May 13, 2022, counsel docketed proof of service (dkt. no. 104). The proof of service indicates that Mr. De Blasio was “served . . . via email . . . pursuant to Bill de Blasio’s agreement that the City could accept service on his behalf (see Exhibit 1).” (Id. at 2.) Exhibit 1 contains a representation from counsel for the City that “the former Mayor has agreed to the City accepting service on his behalf.” (Dkt. no. 104-1 at 2.) Exhibit 2 to the proof of service, however, is an email from the New York City Law Department with the subject line “Proof of service receipt,” which provides that “the Office of the Corporation Counsel has accepted service only for the City of New York and entities for which the Law Department is

authorized to accept service, including the Mayor and City Agency Heads named in their official capacities. Service of process on any individually named parties has not been accepted." (Dkt. no. 104-2 at 2 (emphases added).)

Counsel shall confer and inform the Court by letter whether this constitutes effective service on Mr. De Blasio in his individual capacity. See, e.g., Texaco Panama, Inc. v. Yu Horng Steel & Iron Co., No. 89 CIV. 2179 (CSH), 1989 WL 101935, at *1 (S.D.N.Y. Aug. 29, 1989) ("The Court sua sponte raises the question whether th[is] is sufficient service . . .").

SO ORDERED.

Dated: May 20, 2022
New York, New York



LORETTA A. PRESKA
Senior United States District Judge